

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN R. WALSH, III,

Plaintiff,

v.

MCDONALDS CORP, et al.,

Defendants.

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Civil Action No. 3:16-CV-1179

(Judge Kosik)

ORDER

AND NOW, THIS 30th DAY OF AUGUST, 2016, IT APPEARING TO THE COURT
THAT:

[1] *Pro se* Plaintiff, John R. Walsh, III, filed this instant action on June 17, 2016, against McDonalds for “extreme violation of my civil right,” and seeks damages of \$20,000,000,000 “plus tremble damges” (Doc. 1);

[2] Pursuant to its statutory obligation under 28 U.S.C. § 1915(e)(2)(B)(ii), United States Magistrate Judge Martin C. Carlson screened Plaintiff’s complaint;

[3] On August 12, 2016, the Magistrate Judge issued a Report and Recommendation (Doc. 12), recommending that Plaintiff’s complaint (Doc. 1) be dismissed without further leave to amend, for failure to state a claim upon which relief can be granted. The Magistrate Judge further recommended that an order to show cause be issued to potentially limit Plaintiff’s future filings;

[4] Plaintiff has failed to file timely objections to the Magistrate Judge’s Report and Recommendation;

AND, IT FURTHER APPEARING THAT:

[5] If no objections are filed to a Magistrate Judge's Report and Recommendation, the Plaintiff is not statutorily entitled to a *de novo* review of his claims. 28 U.S.C.A. § 636(b)(1)(C); Thomas v. Arn, 474 U.S. 140, 150-53 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987); and

[6] We have considered the Magistrate Judge's Report, and we concur with his recommendation that Plaintiff's complaint be dismissed for failure to state a claim. We decline to adopt the Magistrate Judge's recommendation to issue an order to show cause;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

[1] The Report and Recommendation of Magistrate Judge Martin C. Carlson, dated August 12, 2016 (Doc. 5) is **ADOPTED IN PART, DENIED IN PART**;

[2] Plaintiff's Complaint (Doc. 1) is **DISMISSED**; and,

[3] The Clerk of Court is directed to **CLOSE** this case and **FORWARD** a copy of this Order to the Magistrate Judge.

s/Edwin M. Kosik
Edwin M. Kosik
United States District Judge